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From:

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04/26/2024

Page 1 of 3

To:

Honorable Lydia Kay Griggsby
United States District Judge
United States District Court, District of Maryland
6500 Cherrywood Lane, Suite 400
Greenbelt, MD 20770

CC:

Microsoft Corporation Regional Agent: (Defendant)
DLA Piper LLP (US)
650 South Exeter Street, Suite 1100
Baltimore, MD 21202-4576
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RE: Jeffery Battle vs Microsoft Corporation, No: 1:23-cv-01822-LKG, Request Permission to File a Motion for Injunction

Dear Judge Griggsby:

Respectfully, I, the plaintiff, request the court's permission to file a Motion for Injunction after numerous reasonable and official attempts to resolve this matter with the defendant starting May 2023. This briefing presents evidence in support of my proposed request for a judicial order that will restrain the defendant from continuing their actions that threaten and invade my legal rights. For nearly a year, my correspondence to the defendant, through Microsoft's official channels, and five cease-and-desist notices, has failed to compel the defendant to stop their harmful and unauthorized activities. Again, I have alleged in my complaint and supplements that the defendant has engaged in Assault, Libel & Slander, Negligence, Gross Negligence, Intentional Disregard, Strict Product Liability, and Product Liability. I notified the defendant on April 24, 2024, of my intent to seek a request from the court to file a Motion for Injunction.

Background:

Microsoft through its search engine “Bing” “Bing Chat,” “Copilot,” and Bing “Related Searches” Artificial Intelligence (AI) functions, has engaged in the act of defaming me and my personal property, by falsely labeling and relating me as a terrorist and labeling and realating my personal property as terrorist owned. Their actions are propagating false information about me and have had substantial impacts on my personal and professional life, personal property, and livelihood.

Due to Microsoft’s alleged actions, I am in continuous fear for my safety and the safety of my family, and their actions have caused me continued emotional harm. For context, I, the plaintiff, am an author, professor, and the founder, owner, President, and Chief Executive Officer (CEO) of my company, Battle Enterprises, LLC, and its subsidiary The Aerospace Professor Company. I am a United States military veteran, and journalist, who is in the process of promoting my new autobiography entitled “The Aerospace Professor: The Man and The Brand” and intellectual property brand (Logo), among other personal and public business ventures.

From May 2023 until the present, Microsoft, through their search engine Bing and other AI functions as stated, has generated false statements conflating me and my personal property with a person of a similar name, Jeffrey Leon Battle, who is a convicted terrorist, to the professional and personal detriment of me and his family. Please note that the distinction between my name, Jeffery Battle, and, Jeffrey Leon Battle, in the spelling of our first name, and I do not have a middle name.

Recently, I discovered that Microsoft's “Microsoft Bing” search engine and “Copilot” AI function, are continuously evolving and generating other types of false information, for example, connecting and associating me and my business “Battle Enterprises, LLC” and autobiography with Jeffrey Leon Battle a convicted terrorist, and connecting me with an associate of his, another convicted terrorist named Patrice Lumumba Ford, both charged with “seditious conspiracy and levying war against the United States”.

I have over 30 years of experience in technology and have a Bachelor of Science (BS) degree in General Engineering and another BS degree in Professional Aeronautics. I believe that there is AI manipulation involved which should signal that an investigation is needed due to the defendant’s numerous false and extremely different and unique activities designed to harm me. Evidence can be presented to suggest that it is highly probable that the actions and activities to harm me appear likely to be human computer programmers developed and assisted, and not solely Artificial Intelligence (AI) developed and generated. This should be of the highest concern to the public.

These false accusations, through Bing AI, which are directly attributed to me and my personal property, have, and will continue, to severely damage my professional and personal reputation, harm my personal property, and could lead to threats of violence against me and my family. While I have been dealing with this false attribution of facts to my name and property for nearly a year, my plan to promote my autobiography, intellectual property (log), and other business endeavors has been placed on hold.

In light of the false statements, I have ceased marketing, promotions, and business sales activities related to my new book and intellectual property. I have discontinued seeking Podcast opportunities, speaking engagements, animated and non-animated movie deals, product license agreements, and other private business endeavors, to my own financial, personal, and professional detriment.

I have attempted to go through the appropriate measures and their official processes to communicate with Microsoft before engaging in a civil action. In addition, I have observed that Microsoft Bing and the Artificial Intelligence (AI) Copilot function, continue to conflate my personal and professional facts with Jeffery Leon Battle's facts in numerous other instances. Also, Bing as of the date of this document, continues to label and relate me and my personal property to terrorists through "Related Searches" and "Bing Copilot" functions.

In support of my request to file a Motion for Injunction and your consideration of my request; I have referenced, as follows, previously submitted docket entry information and evidence that communicated harm to the defendant and requested remedies:

- A. Court Docket entry # 3: Pre-Discovery documentation; Correspondence from Jeffery Battle re: Pre-Discovery Exhibit Documents; dated July 24, 2023, (*Exhibit 12, pages 1 through 4*) and (*Exhibit 13, pages 1 through 13*).
- B. Court Docket entry # 3; Pre-Discovery documentation: Correspondence from Jeffery Battle re: Pre-Discovery Exhibit Documents, dated July 24, 2023, Cease & Desist Legal Notice (*Exhibit 2, pages 1 through 5*) and (*Exhibit 4, pages 1 through 4*).
- C. Court Docket entry #29; Correspondence from Jeffery Battle re: Correspondence to Defendant's Counsel, and Attachments, dated April 4, 2024.
- D. Court Docket entry # 30; Correspondence from Jeffery Battle re: Legal Notice to Defendant's Counsel; and Attachments, dated April 18, 2024.
- E. Court Docket entry # 31; Correspondence from Jeffery Battle re: Fourth Legal Notice to Defendant's Counsel; and Attachments, dated April 19, 2024.
- F. Court Docket entry #32; Correspondence from Jeffery Battle re: Fifth Legal Notice to Defendant; and Attachments, dated April 24, 2024.

Respectfully your honor, if a Motion for Injunction is allowed, at a minimum, I would like to request to be included in a judicial order that the defendant would immediately Cease and Desist all defamatory and other harmful activities targeted against me and my property. I would request that the defendant be held liable for all monetary damages and other equitable relief requested in my damages documentation and supplements if any of the activities were to continue that would falsely label, relate, connect, associate or other, me to a convicted terrorist or my personal and professional property being falsely labeled, connected, or associated or other, to being terrorist owed.

Regards,

Jeffery Battle, Plaintiff



NOTE: This document has been forwarded to Defendant by FedEx Next Day Delivery Mail – Signature Confirmation, with a Certificate of Service, and was Hand delivered to the United States District Court of Maryland